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Cg to PER-P  
Orig. to PH  
PH-C



February 28, 2002

District Engineer  
U.S. Army Engineer District, Fort Worth  
P. O. Box 17300  
Fort Worth, TX 76102-0300

Dear Sir:

The City of Gainesville has experienced recurrent damages from overflows of the Pecan Creek. In the last twenty five years there have been significant flood events in 1977, 1979, 1981, 1989, 1990 and 1993 that have caused damage within the city.

I understand that Section 205 of the Flood Control Act of 1948, as amended, authorizes the Corps of Engineers to conduct investigations and studies in cooperation with a local sponsor in the interest of flood damage reduction. The City of Gainesville is willing to sponsor a flood damage reduction project, and hereby requests that the Corps of Engineers make a determination of the engineering, economic and environmental feasibility of constructing a Federal flood damage reduction project along Pecan Creek, and the extent of the City of Gainesville's participation.

The City of Gainesville is aware that study costs in excess of \$100,000 will be cost-shared on a 50/50 split between the government and the City of Gainesville. The City of Gainesville acknowledges our ability to proceed with the study and potential project within the specified time frames. The City of Gainesville also recognizes that should a project be approved for construction, its participation would include:

1. Provide without cost to the United States all lands, easements, and rights-of-way, and disposal areas necessary for project construction.
2. Provide without cost to the United States all necessary relocations and alterations of buildings, utilities, roads, highway bridges and other community services.
3. Hold and save the United States free from damages due to construction, operation and maintenance of the project, but not including damages due to the fault or negligence of the United States or its contractors.
4. Provide a cash contribution equal to 5% of the total project cost (structural projects only).

City of Gainesville

200 South Rusk

Gainesville, Texas 76240

(940) 668-4500

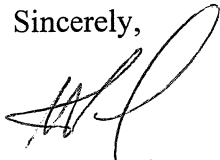
Fax (940) 668-4518

District Engineer  
U. S. Army Corps of Engineers  
February 28, 2002  
Page 2

5. If the value of the contributions provided under paragraphs 1,2, and 4 are less than 35 percent of the total project cost, provide an additional cash contribution in the amount necessary to make the total non-Federal contribution equal to 35 percent of the total project cost.
6. Assume full responsibility for all project costs in excess of the Federal cost limitation of \$7,000,000.
7. Maintain and operate the project after completion in accordance with regulations prescribed by the Secretary of the Army.
8. Adopt and enforce such flood plain regulations necessary to insure compatibility between future development and the degree of flood protection provided by the project, to include future encroachment which could interfere with the proper functioning of the project for flood control.
9. Comply with provisions of the Uniform Relocations Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, approved January 2, 1971.
10. Provide for any costs incurred in cleanup of hazardous materials located on project lands and covered under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Such costs shall be considered a non-Federal responsibility for which no cost sharing credit can be given; and, the project sponsor shall be required to operate, maintain, repair, replace, and rehabilitate the project in a manner so that liability will not arise under CERCLA.

I sincerely hope your office can be of assistance in reducing flood damages in the City of Gainesville.

Sincerely,



Mike Land  
City Manager